

**TOWN OF SOUTHEAST
PLANNING BOARD MINUTES
June 22, 2020**

Present: Chairman Thomas LaPerch; Vice Chairman David Rush; Boardmembers Jim King, Eric Cyprus; Lynne Eckardt; Michael Hecht; Town Planner Ashley Ley; Secretary Victoria Desidero. Absent & Excused: Boardmember Dan Armstrong; Town Attorney Willis Stephens

Chairman LaPerch: Good evening everyone. Thank you for joining us. Not a big agenda tonight. So, I'd like to start off by doing a roll call of the members. (Roll call taken; results above.) I'll just run through what is going to be on the agenda. We have one Public Hearing and that's Home Depot. We have three Regular Session items: number one would be Flywheel Farm, followed by Verizon and then we have JCE Enterprises. So, I am going to start the evening off with the Public Hearing.

PUBLIC HEARINGS:

1. **HOME DEPOT, 80 Independent Way, Tax Map ID 56.-1-23** – Continued Public Hearing to Review an Application for Site Plan Amendment, Conditional Use Permit and Special Permit Omar Mansour, Rich Procanik and Rob Smith appeared before the Board. The motion to Declare Lead Agency under SEQRA was introduced by Chairman LaPerch, seconded by Boardmember Rush and passed by a roll vote of 6 to 0 with 1 absent. The motion to Open the Public Hearing was introduced by Chairman LaPerch, seconded by Boardmember Eckardt and passed all in favor.

Chairman LaPerch: Who do we have from Home Depot? Please this is a Public Hearing so what I am going to ask you to do is walk through what you are proposing to do on your application as if you are dealing with the public and then I'll open it up to the Board. So please state your name for the record please.

Omar Mansour: Yes, good evening Mr. Chairman. This is Omar Mansour on behalf of Home Depot. With me tonight is Rich Procanik, our engineer and Rob Smith who is the store manager. So, with that, I would like to turn it to Rich to start the presentation and, as promised two weeks ago, Mr. Smith is here to answer any questions specific to the operation of the store.

Chairman LaPerch: I appreciate you being here Mr. Smith. I know you are a busy guy, so I thank you for attending.

Mr. Smith: Oh, no problem.

Chairman LaPerch: OK. What have we got?

Mr. Procanik: Thank you. Can everyone hear me before I start?

Chairman LaPerch: Yes.

Mr. Procanik: OK. Tremendous. So, we were in front of the Board I think it was about six weeks ago and we presented the layout you see in front of you. But we have made a couple of minor adjustments I'd like to walk through the Board. Some of them were administrative that we were dealing with (Town Planner) Ashley (Ley) on but the changes that effect the plan, I think I have seven or eight here, I'll just run through them one by one. So we added the area and percentage of the dry storage versus the live plant material on that legend, right over there; um we added some additional pavement markings due to one of the concerns from the Board in front of the outdoor seasonal area. This area is just down to the bottom, there you go, right there just down from the garden area. So, we are proposing a very wide berth crosswalk with yield pavement markings to help calm the traffic in that area. We looked at putting some kind of permanent barrier, physical barrier I should say and it didn't seem feasible and it would be incredibly disruptive to the traffic situation and we believe it will cause more of a detriment than a benefit. We think what we have here with the additional striping and the yield markings should satisfy and address the concerns and kind of keep traffic at a slower rate of speed with these high visible markings. They will bring the drivers' attention to this area and should prevent any pedestrian conflict with vehicles. On the legend, we also added additional square footage. We did initially, and I apologize I discussed it at the last meeting, but the first time we were in front of you we presented a weekday and a weekend option. We thought that was a little bit confusing so went with the more conservative approach

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which was the weekend and we are going to use that for all days. So, we have eliminated the weekday and what we are proposing is the one layout that we would like to pursue approval for. Additional fencing and barriers were added to that at the right side of the sheet to prevent vehicles from turning into that nursery area. The initial application we indicated that we were one parking space shy of being compliant, so we re-worked some of the numbers and brought the plan into compliance by giving a few spaces back for vehicle parking use. From the last meeting there were some additional concerns raised so we committed to striping the existing staging and storage area that were originally approved under a previous application so we will include that on our next submission. All those areas will have that thick white line that is going to demonstrate where the material for storage or staging the product can be or can't be. If it is inside of the white line and you can see the white line, it is compliant. If it is outside, they will bring it inside the white lines or into the building. So, the thought behind this is if you can't see the white lines they are in violation. And then the second that was brought up last week was the pedestrian circulation around the building on the south side of the gardens there. So, what we are going to do is add some additional 'delivery only' signs just to help prevent any passenger vehicles and any customers from going behind the (inaudible). In a nutshell, that is what has changed on the application since the last time we were in front of you.

Chairman LaPerch: All right. Well thank you. OK. I have three points here that I'd like to talk about. I think for the most part you've addressed most of the consultant's issues but I had... Mr. Smith, I had asked them for you to show up as the local manager because there was a lot of local stuff that you know that we were concerned about and they were not really very familiar with your store. So, first of all, I want to thank you because you have done a good job community wise; you are always giving back. But I have three things I would like to talk to you about tonight. Where are you with the sign in the back?

Mr. Smith: If you look back there it is all being done by the landlord, so they have stripped it completely I believe of everything that was on there. I believe its been re-enforced and painted and from what I understand in the next 30 days they will begin work on putting the new sign up. But that is all being handled by the landlord.

Chairman LaPerch: OK. Thank you for that. Let me just ask Victoria. Victoria, is that a Building Department... whose is handling that... I mean that approval. Is that sign going right back up as is or was that a review issue or just a replacement issue?

Secretary Desidero: Yes, so that actually was just referred by the Building Department to the Architectural Review Board (ARB) who did actually approve the sign, I think at their last meeting. So, they have everything they need if they got their building permit. After they get the ARB, they go back to the Building Department for a Sign Permit. If they have that, they are all set to go.

Chairman LaPerch: OK. Thanks for the update. Mr. Smith, I guess my personal pet peeve there is... I am a weekend shopper there and I just find your maintenance issues to be deplorable. I drove up there two weeks ago this previous meeting and the grass hasn't been cut. But the grass has now been cut but someone forgot to pick up the garbage in the grass. So, it looks deplorable to me and I would think that you would want to keep that place neat and clean and I drove around tonight just to make sure I was on top of things and I drove through the parking lot, I drove through the back and I get your busy but I mean... It looks horrible. And I'd like to know what kind of maintenance you are proposing moving forward here because as much as we are going to help you with the traffic flow I think you've got to take pride... As a Planning Board member, I think you know, you should have pride in your property there and it looks terrible so do you have a plan?

Mr. Smith: Well, what is it exactly you are talking about that looks terrible?

Chairman LaPerch: You cut the grass and all the garbage that was in the grass was never picked up prior to cutting it and it's just a total mess and you drive through the whole thing, there is all things that were chewed up in the motor that was spewed out and you go over near the picnic table there, it looks like no one has emptied the picnic area in a while. So, that's my own personal thing

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and I would like to think that you would put a plan together that would address like a daily clean up. I get it's a big shop, but it just looks horrible.

Mr. Smith: No, no and I understand that Tom and I know you've been in the store a couple of times and we've spoken over the course of the last couple of months. So here is what happens with those things. Whenever the like the grass and things like that, we put in a request to Corporate to have them come out and fix those things. I know lately with everything that's going on they have been a little bit slower than usual. So, like you said those guys came out and they did do the mowing and things like that. For us, what my team does right now is we walk the building daily. Obviously, our main focus is safety, pallet pieces, you know the product and things like that. It's a very easy one for me to just go to Corporate and get more of a specific... They come multiple times a week to clean up certain things. It's the same guys... they sweep the parking lot almost every night. They bring the sweepers in to clean that up. It's just a matter of me putting stuff in and making it a more regular thing to make their way totally around the building. And I don't think that will be a problem at all.

Chairman LaPerch: That's a fair answer. Thank you, Mr. Smith. The other question I have regarding the parking. Ashley, do you have the map there in front of the contractor pick up area? I was there tonight, and they were like double parked in front, on both sides of that contractor pick up area and I kind of get it with the new... with the COVID world going on right now but... Is that allowable to be parked on the other side of that pickup area there, Ashley, that hash mark there? In there... is that considered parking for the contractors? Not underneath the pickup area but outside the pickup area in those lanes?

Ms. Ley: This is a drive aisle; they shouldn't be parking here.

Chairman LaPerch: OK. I see that as kind of a choke point in my opinion. OK. So, those are my three comments. Thank you, Mr. Smith. I get it. You know it's a lot going on especially with the new world we are living in but I'm just kind of a landscape freak...

Mr. Smith: No problem. We'll take care of it.

Chairman LaPerch: All right. I appreciate it. Ms. Eckardt, do you have any questions for the applicant please?

Boardmember Eckardt: I do. Thanks, Tom and thank you for those comments. I think they are really important. Ashley, could you scroll back down to the nursery area please? OK. So, I want to make sure I am clear on this. So, the new striping is as indicated. I have had residents I've spoken to who much prefer... who think it would be much safer to have breakaways for the spring season. But... and they also feel like the crosswalk has been... that the whole area that whole fire lane is pretty problematic. Aside from that though, where we see the mulch pick up sign, the cross hatching... below there and it says also 'relocated cart corral.' Those are still open for traffic, correct?

Mr. Procanik: I apologize. I'm not sure I understand what you mean by open for traffic.

Boardmember Eckardt: OK. Where the...

Ms. Ley: Where the aisle is.

Boardmember Eckardt: Where the aisle is... those are actually...

Mr. Procanik: Yeah, you would be able to drive a vehicle.

Boardmember Eckardt: OK. But where it says 'relocated cart corral' that is open for traffic to drive through and above that 'temporary mulch pick up' that will still be open too for cars and vehicles?

Ms. Ley: This is a median here.

Boardmember Eckardt: That's the median. OK. That's what I want to make sure of. OK. So, but below that will be open for traffic? That's where the trucks are going to come?

Ms. Ley: Yes.

Boardmember Eckardt: OK. All right. I mean it is just such a mishmash there. I really do have concerns still about this. I think it will be much better, but I am still concerned with the traffic flow

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and the traffic pattern. Where it says, 'seasonal sales area,' Ashley, to the... right below the garden center. So, that is where it really gets to be a mess. But that will be full of carts with annuals or shrubs. Is that correct?

Mr. Procanik: That's correct.

Boardmember Eckardt: But it will be delineated by pavement... by striping now?

Mr. Procanik: Yeah, that was previously approved, but we've committed to striping all the previously approved areas.

Boardmember Eckardt: OK. All right.

Mr. Procanik: And one thing with Mr. Smith joining us, we can ask him to ensure that the product is facing inwards so that customers are not standing in that fire lane looking at the product.

Boardmember Eckardt: Yeah. There... and especially with a clear sidewalk area because it really isn't clear. I mean everything about this is... I know how it is running a nursery and when deliveries come in, it is really hard to move them and get them squared away but being in a parking lot, I just think it's so important that... And it has been very, very disorganized in the past. So, I think we are on the right track here, but I still have a lot of concerns. So, I appreciate the time. I'm not sure quite how to solve it but, as I said, I am concerned about breakaways rather than just traffic striping.

Chairman LaPerch: Thank you, Lynne. OK. Mr. King, any questions for the applicant?

Boardmember King: No questions. I agree with some of the changes that were made, and I wanted to re-echo your sentiments about the place generally looks haphazard when you show up there. And I think it could be better maintained on the outside. I've never been around back but I'm talking about general appearances in the front.

Chairman LaPerch: Thank you. Good comments. Mr. Hecht, any questions for the applicant please? Mike, you with us buddy?

Ms. Ley: He got disconnected.

Chairman LaPerch: OK.

Ms. Desidero: He's here.

Chairman LaPerch: Mike, you here buddy? You have to unmute yourself there.

Ms. Desidero: I unmuted him.

Boardmember Hecht: I'm back. Sorry about that. I have no video. Yeah, my only comments kind of echoed yours Tom. I just think the appearance... trying to get it all straightened out. But I also have some concerns because those new markings on the road... A lot of people just don't pay attention to them so that just kind of concerns me and I don't know if that is necessarily their issue, but it does concern me.

Chairman LaPerch: OK. Well, thank you for your comments. Mr. Cyprus, any comments for the applicant please?

Boardmember Cyprus: Yeah, two please. Thanks, Tom. Hey Rob, I think these are for you. I know sometimes you put cones up in that crosswalk area that we are talking about. Once the new striping is in place, is it your intention to still sometimes block it off or is the striping the official you know traffic or pedestrian control measure?

Mr. Procanik: So, really the goal is in that area where it has the yields there and the striping, there is no product there. There won't be any at all. It will only be in that fenced in area to the right and in that seasonal sales area that we spoke about. That's actually fenced off around the sides. The goal would be kind of like we were talking about the issue of people walking around the side of the traffic. With that fence they wouldn't be able to go over to that side and we wouldn't have anything over there. Within those two areas there would be no need to put any overstock or any extra carts outside of those two areas. If its something that people feel more comfortable with... I know when we had spoken before there was concern about blocking that, you know even if it was just for the weekend of putting some sort of barrier there, ya know, for fire reasons having that blocked at all seeing that it's the main spot if a fire truck were to have to pull up in front of the building. But it's

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very... we could do it very easily. It all depends on, you know, obviously how everyone feels

Boardmember Cyprus: Yeah, I guess that's kind of... what I want to do is leave here with us all agreeing, I guess. So, like I don't want to agree that the stripes are what we are doing and then you still put cones up. You know that kind of thing. So, your intention as it stands though is just the stripes and no more orange cones?

Mr. Procanik: Correct.

Boardmember Cyprus: OK. And not to beat you up on Tom's comments but you mentioned sweeping the parking lot. I didn't know if that's a machine or not. But, Rob, one of the issues seems to be in the cart corrals. They seem to gather a lot of garbage and I realize it is not your garbage; its customer garbage. It's McDonalds, its Dunkin Donuts, its everything but it tends to get caught in those cart corral areas so if you could just pay a little attention to that I'd appreciate it.

Mr. Smith: Yeah, no problem. Obviously that's become more of an issue now with people taking their gloves off when they put their carts away, they leave plastic gloves so it is definitely something that we are looking into and working on for a more permanent fix so it gets cleaned up daily.

Boardmember Cyprus: Thank you.

Chairman LaPerch: Thank you, Eric. Good comments. Mr. Rush, any comments for this applicant please?

Boardmember Rush: I was curious about the carts because I know that everybody pulling in there the first thing you want to do is you want to try to find a flat cart so you can put your big stuff on and they're bigger and they don't always stay and behave like normal carts. So, I don't really see a solution for that here unless you've got something that I don't understand. The second is and this is really a graphic thing: I am questioning the direction of the striping. I'm wondering should they be diagonal so that if you are driving, you'll see there is a zone there versus like this is just like a straight through. I don't think I read that as a... like a person in a car... a vehicle... do I read that as a crosswalk? That's a question. I'm just throwing that out there. And last, I'm not crazy about the Jersey barriers at the end from their aesthetic appeal as you walk... You know driving around and that's the first thing you see, and you know if Tom doesn't like garbage in your grass, I'm surprised he would like that. So, I'm just wondering what else can be done there. I am almost wondering if it could be done on a diagonal and Ashley, you've got control of this? Who has control of this thing?

Ms. Ley: I do.

Boardmember Rush: So, Ashley if you follow the median that you have when you first go in, where the Jersey barriers are and basically almost do like the diagonal to connect those two forms together instead of having it feel like its in your face. Maybe that would be better. You are not going to lose that much storage. I know it is just somebody drew a box and they did it. Does that make any sense to you Rob?

Mr. Smith: No, it does 100 percent. Because it is the first thing you would see as you came up the hill.

Boardmember Rush: Yeah, I mean it should be... and I don't know if this is only going to be there from when to when?

Ms. Ley: April 1st to June 1st.

Boardmember Rush: OK. So, technically it shouldn't be there anymore, right?

Multiple people talking.

Ms. Ley: Oh sorry, it's this area here.

Boardmember Rush: Yes, it is where the upside-down trees... that's the July set up... so set up now? So, I just wonder if it... it feels like it is just exploding out of the zone there and I don't know. If it were me, I would want it to be a little more attractive there and so maybe by angling it back you just didn't feel like... And maybe it says you know 'outdoor extra whatever.' I don't know if there is a graphic of any sort but those are my comments.

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Chairman LaPerch: And David, as always, great questions in terms of the visual things you pick up, buddy. I love that. Mr. Smith, quick question are we taking into account any kind of Christmas area that might be... So, are we restricting you to this? Do you have an overflow issue during Christmas?

Mr. Smith: Nope. No issues at Christmas. Everything stays within the garden center.

Chairman LaPerch: Everything stays within that box? OK. Well, thank you. All right. This is a Public Hearing so Victoria can you help me or Ashley if there is anybody from the public who would like to ask a question, Victoria or Ashley will acknowledge you and please state your name for the record and we would love to hear your comments.

Ms. Ley: You need to use the raise your hand feature in the bottom of the participant box and if you're calling in by phone it's star nine to raise your hand.

Ms. Desidero: Ashley, it might be a little easier if we had the full screen of... Thank you.

Chairman LaPerch: Oh yeah, there you go.

Ms. Desidero: I don't see any raised hands.

Ms. Ley: I don't see anyone. I do recall at the last meeting one of the Board members had a question about whether there could be outdoor transactions in the outdoor...

Chairman LaPerch: Yes, Mr. King asked that question.

Ms. Ley: Maybe that is something that the manager could answer.

Mr. Smith: Right now, we don't necessarily have the capability to do so. There is a way for us to kind of run like a CAT 5 cable out for like a temporary thing on a weekend. You know if we thought that was something that could alleviate some of the pressure of the people... I almost think it would make everything a little bit more congested out on that corner area if we tried to do something like that. Kind of with people stopping and paying with their cards (inaudible) but its not a capability that we currently have at this moment.

Chairman LaPerch: OK. Thank you for that answer. Once again does Victoria or Ashley see anyone that might have a question from the public? (Pause)

Ms. Ley: No.

Ms. Desidero: I don't.

Chairman LaPerch: If not, I've got a couple of action items here. OK. Once again, Mr. Smith thank you for taking time out for joining us and I guess you get the sense of what we are talking about here.

Mr. Smith: Yup. Cool.

Chairman LaPerch: So, thank you once again. So here are the actions.

The motion to Close the Public Hearing was introduced by Chairman LaPerch seconded by Boardmember King and passed all in favor. The motion to Adopt a Negative Declaration under SEQRA was introduced by Chairman LaPerch, seconded by Boardmember Rush and passed by a roll call vote of 6 to 0 with 1 absent.

Chairman LaPerch: I'd like to make a motion to refer this to the ZBA (Zoning Board of Appeals). Ashley, once again, can you tell me what the ZBA motion is?

Ms. Ley: So, they need variances... side and rear yard setback variances for several of the outdoor storage areas.

Chairman LaPerch: OK. And anybody have any questions before I put this to a vote? (Silence) OK.

The motion to refer the application to the ZBA was introduced by Chairman LaPerch, seconded by Boardmember Cyprus and passed all in favor.

Chairman LaPerch: I'd like to make a motion to refer to the ARB. What is the action here, Ashley?

Ms. Ley: Because it's a major site plan they need to go to the ARB.

Chairman LaPerch: And they get a chance to look at everything?

Ms. Ley: Yes.

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Boardmember Rush: (Inaudible)

Chairman LaPerch: You good David? OK.

The motion to refer the application to the ARB was introduced by Chairman LaPerch, seconded by Boardmember Rush and passed all in favor.

Chairman LaPerch: Once again gentlemen, thank you very much and let's see if we can move this along. All right?

Multiple people saying: Yes and thank you.

REGULAR SESSION:

1. FLYWHEEL FARM, LLC, 4 – 10 Starcobb Road, Tax Map ID 79.-1-26 – Review of an Application for Final Approval of Conditional Use Permit for an Accessory Apartment.

Todd Atkinson of JR Folchetti & Associates represented his client before the Board.

Chairman LaPerch: OK. Let's move onto the Regular Session. The first one up is Flywheel Farm 4, 10 Starcobb Lane. Can I have the person who is representing that?

Ms. Desidero: It's Mr. Atkinson.

Chairman LaPerch: OK. Mr. Atkinson. Welcome Todd. How are you doing? Take yourself off mute there.

Mr. Atkinson: I'm here Mr. Chairman.

Chairman LaPerch: Good. Welcome. What have you got for us please?

Mr. Atkinson: Two months ago, back in April, we received the resolution I guess from your Board for Conditional Use for the caretaker's cottage... or caretaker's apartment I guess I should say. The accessory apartment at Flywheel Farm. You sent us over to the ARB. We received our approval from the ARB, so we are back for the final approval here at the Planning Board for the caretaker's apartment.

Chairman LaPerch: Yes, and I think you addressed all the issues in terms of our consultants are happy. I have no further questions. Ms. Eckardt, do you have any questions for this applicant?

Boardmember Eckardt: A really quick one on the... If we... hold on... If we waive the 25 percent total floor area ratio, and it becomes 30 percent, roughly a little more, the owner would still have to come back to us if they wanted to increase that in any way. Is that right, Ashley?

Ms. Ley: Yes, I believe so. So, if you cap it in the resolution or that is how it is presented so...

Boardmember Eckardt: I mean it would be unusual that they would be able to but we might want to just make sure...

Ms. Ley: They wouldn't be able to add any bedrooms or anything because they don't have the septic capacity so it certainly would trigger a review again.

Boardmember Eckardt: OK. No other questions. I'm fine. Thank you.

Chairman LaPerch: Thank you. Mr. King, any questions for this applicant?

Boardmember King: No questions.

Chairman LaPerch: Thank you. Mr. Hecht?

Boardmember Hecht: No questions.

Chairman LaPerch: Mr. Cyprus, any questions for this applicant?

Boardmember Cyprus: No questions, Tom. Thank you.

Chairman LaPerch: Thank you sir. Mr. Rush?

Boardmember Rush: No sir. Thank you.

Chairman LaPerch: OK. That's good. I think he addressed all our questions. At this point, I have no further questions. So, there is only one action here and I'd like to make a motion.

The motion to Grant Conditional Use Permit Approval was introduced by Chairman LaPerch, seconded by Boardmember King and passed by a roll call vote of 6 to 0 with 1 absent.

Chairman LaPerch: Thank you, Todd.

Mr. Atkinson: Thank you, Mr. Chairman and the Board. Have a great night.

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Chairman LaPerch: Thank you. You too.

2. **NYSMSA d/b/a VERIZON, 300-310 Route 22, Tax Map ID 78.-1-31** – Review of a Request for Exemption from Site Plan and Conditional Use Permit.

Attorney Michael Sheridan of Snyder & Snyder appeared before the Board.

Chairman LaPerch: Number two, NYSMSA dba Verizon at 300-310 Route 22. Who is representing Verizon and state your name for the record please?

Mr. Sheridan: That would be me, Michael Sheridan from Snyder and Snyder here on behalf of NYSMSA Limited Partnership dba Verizon Wireless.

Chairman LaPerch: Welcome Mr. Snyder. Tell us a little bit about what you are trying... what you are doing for your client tonight. What do they want to do?

Mr. Sheridan: Just a correction, Mr. Sheridan at Snyder and Snyder. We are... Verizon Wireless is just looking to replace some equipment at its existing facility on the monopole and they are going to be replacing six out of the 12 antennas, replacing some of the RHs that are there. Fairly standard maintenance work to keep the site current.

Chairman LaPerch: I know you are not an engineer Mr. Sheridan but I can tell you that I am not the only one complaining about the horrible cell service in this area and I actually put a call in to your engineer without a return call asking... This was pre-COVID too. It had nothing to do with overwhelming the system and I'm not... I don't know why the service is horrible in the Brewster area here. Is this what they are going to improve on by putting new panels in? I would like a technical answer because once you get into the Village you lose all service and I am a Verizon guy here. So, is this going to resolve... I'd like a technical answer here. Is this going to help me?

Mr. Sheridan: Well, I think... I can't give you a technical answer about where you are going to be but again all these are improvements to make sure that the service is more reliable. That's their goal; to provide reliable wireless service and that's what these improvements are aimed to do.

Chairman LaPerch: And if we approve this, how quickly does that happen?

Mr. Sheridan: That I'm not sure. I mean they want to get these done rather quickly. I know we go from here to the Building Inspector to get the permits and then I don't know where it is on the schedule after that. Certainly, once we get the Building Permits then they can schedule it and spring into action.

Chairman LaPerch: Ashley, I have a question here that Mr. Lord (Town Councilman) just kind of popped up in the Chatroom and he is 100 percent correct. I am confused about the address of this thing? I'm not sure where this location is. 300 Route 22?

Ms. Ley: So, its...

Ms. Desidero: So, the address is 300 to 310 Route 22.

Chairman LaPerch: Where is that on Route 22? (Pause.) I am putting you on the spot here and I apologize but I Googled it and it didn't make sense to me. But Mr. Lord just popped up on the Chatroom and I forgot to ask so where is this tower?

Mr. Sheridan: Near King Lane? That is where it is on the map.

Chairman LaPerch: Sorry to do this to you, Mr. Sheridan.

Mr. Sheridan: That's all right. I don't know. Is King Lane recognized by anybody?

Chairman LaPerch: Lynne, you've got a face on...

Boardmember Eckardt: No. I assumed, and I should never do this that when it said Drewville Heights that it was the Marvin Mountain antenna, but I could be... I'm probably totally wrong.

Chairman LaPerch: That's just what I am trying to figure out.

Ms. Ley: Let me pull up the vicinity map. It is not the best map on your plan here. (Pause) Yeah, it's not the best map.

Chairman LaPerch: It says Roadhouse... Oh, it's over near the Roadhouse...

Ms. Ley: By Jaipore.

Chairman LaPerch: It's south. South on 22.

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Mr. Sheridan: It says King Lane and Brewster Avenue.

Boardmember Eckardt: Then why does it say Drewville Heights? That is really bizarre.

Chairman LaPerch: There you go. That's where the disconnect is.

Ms. Desidero: I don't think I put Drewville Heights on the agenda, did I? Because I usually use the legal address.

Ms. Ley: It might be on my memo because we pulled the name off of the title.

Mr. Sheridan: Yeah, that is Verizon's name. They frequently match but sometimes...

Chairman LaPerch: OK. So, it is on this application for approval, but it is technically down Route 22 near the condos and the restaurant. All right, I get that now. Thank you. OK, let's go through the Board. Ms. Eckardt, any other additional questions for this applicant please?

Boardmember Eckardt: Now that the mystery is solved, no.

(Laughter)

Chairman LaPerch: Mr. King, any questions?

Boardmember King: No questions.

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THE FOLLOWING MINUTES ARE NOT VERBATIM UNTIL WHERE THE
RECORDING STARTED AGAIN BELOW***

The motion to Grant Exemption from Site Plan and Conditional Use Permit Review was introduced by Chairman LaPerch, seconded by Boardmember Cyprus and passed by a roll call vote of 6 to 0 with 1 absent.

3. JCE ENTERPRISES, LLC, 12 Old Route 6, Tax Map ID 55.12-1-12 – Review of Application for Final Approval of Site Plan Amendment.

Architect Rob Cameron and Owner William Frank represented the application. Mr. Cameron explained the project to convert the upstairs of the building to office space and add a stairway to access it. He described changes to the parking area. Chairman LaPerch asked Mr. Frank if he had contacted his neighbor who was concerned about screening their view of the parking. Mr. Frank said yes, we agreed to add a 6 ft. white vinyl privacy fence along that property line and the neighbor was satisfied with that. Boardmember Eckardt noted that the AKRF recommendation that the gravel area not presently used for parking should be reclaimed as lawn and the curb cut to Old Route 6 reduced but the applicant preferred for the gravel areas to remain because these areas are useful to access utility equipment alongside the building. Boardmember Eckardt asked what the utilities were for and Mr. Frank said the septic fields are in that area, as well as a propane tank which is going to be replaced. He said he would also like to keep the parking area in front of the building. Ms. Ley said that her memo was referring to the overflow gravel area and not the delineated parking spaces and she pointed out the area on the plan. Mr. Frank said he could add some grass in that area and also wished to put a picnic table in there for his employees.

Boardmember Eckardt encouraged the use of grass in the area where the picnic table would be. Boardmember Cyprus said he agreed with Lynne's comments. Boardmember Rush asked if this has already gone to the ARB and Ms. Ley said yes. There were no other comments from the Board. The motion to Grant Final Site Plan Approval was introduced by Chairman LaPerch, seconded by Boardmember Cyprus and passed by a roll call vote of 6 to 0 with 1 absent.

*The motion to approve the Minutes as written for the June 8, 2020 meeting was introduced by Chairman LaPerch, seconded by Boardmember King and passed all in favor.

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Chairman LaPerch: Victoria, I'd like to go through a couple of things I did this week, an update to the Board. Do we still have to record this stuff, Ashley? Updates and violations and things like that? Is that something that we need to...

Ms. Ley: Yeah, we should.

Chairman LaPerch: OK. So, I was busy last week in a good way. Let me give you an update. The Route 22 corridor discussions were put on hold until next meeting. We are going through some kind of talking points and things like that so hopefully next meeting if we are live, I think it will be even better. But we just put it on delay until the next meeting. No other reason than to make sure that Ashley and I are on the same page. We spoke to (Supervisor) Tony (Hay) and the Town Board, they are on board, but she is going to put together an agenda of talking points. We're hoping we are going to be in a public forum instead of a Zoom meeting so, Ashley, am I correct with that assessment?

Ms. Ley: Yes.

Chairman LaPerch: OK. Good. OK. Let me run through some of the things I think are highlighted in a good way. I don't know if you've seen it, but the A&P (ACME) has started their work and Lynne I will tell you it looks very nice. They've done a good job with their landscaping, so I think that's very good news, positive thing. In terms of violations, I will give you my update as of last... on Friday. I spoke to Tyler Tremblay and he is working with his engineer Todd (Atkinson of JR Folchetti & Associates). They should be in front of us hopefully within the next month or so to kind of present their plan for their violation. Dennis Palmer... spoke to him last week. He apologizes, the architect that he hired still, believe it or not, has not gotten the drawings done to present to the ARB and he was pleading to me if I could call his architect. I said no, that's your problem. But he did reach out to me. He is not avoiding us, so I just wanted to share with you that he is in communication with us. The Route 22 gas station... Eagle... I spoke to the applicant; he is waiting for the contractor that is finishing up a job over in Orange County and they plan on starting... putting the tanks in next week. They have all their permits. There is nothing to do but start doing it. So, if you see action on Route 22, Eagle gas station, that's because he is ready to go. He is ready to go. I forgot to copy Ashley on this, but I got a correspondence from the 312 – 22 gas station across from Kelly's. His traffic engineer said that they are waiting on an updated title report, which they finally got yesterday... uh today, I'm sorry. So, once they get the title report they will submit it to the DOT (Department of Transportation) and they are ready to go unless I am missing something, Ashley, right? I mean they have their approvals and stuff and need a DOT permit. Correct?

Ms. Ley: Um... I believe so. I need to go back and double check where they are... They had a few...

Chairman LaPerch: Yeah, they are close. OK. As of Friday, I spoke to Mr. Bill DeBonis (Dunkin Donuts at 1 Starr Ridge) and Tim Allen (Bibbo Associates) and believe it or not, they are on the same page. Mr. Allen said we should be receiving an updated site plan application. And if you forget what we are doing here, Ashley, they were in a violation and they were supposed to come back in and legitimize some of the site plan changes. Correct?

Ms. Ley: Yes, they were supposed to come in with specifically a revised landscaping plan and a plan to address the patio which was supposed to be by the Dunkin Donuts.

Chairman LaPerch: Is it too late to plant this season?

Ms. Ley: It's a little late but they still have some time. We were hoping that they would have had the approvals over the winter so they could have planted right away.

Chairman LaPerch: OK. So, that's my update. People are looking to get things done and anybody else raise their hands? Any questions or anything?

Boardmember Eckardt: Can I say one thing? Sorry I don't know how to raise my hand.

Chairman LaPerch: Sure.

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Boardmember Eckardt: Tom, thank you for doing all that work. I really appreciate it and although in summer you do have to water more with planting, you know they certainly can plant this fall.

Chairman LaPerch: Well, that's something that you guys can work out as you know better than I do but it is pretty dry around here. I can tell you that, Lynne.

Boardmember Eckardt: (inaudible)

Boardmember Rush: You put a little biotone in the bottom, right Lynne?

Chairman LaPerch: Well, I would recommend somebody... Ashley, someone make that suggestion if you think this... because of lack of rain it's not going to be worth it then...

Ms. Ley: Well, he needs to come and get the approvals, so he needs to be before the Board so...

Chairman LaPerch: OK. That makes sense. Other than that, nothing new. So, David, I am going to make a motion to close tonight's hearing, do I have a second?

Ms. Ley: There is a question from John Lord about Northwood Tree Care in the...

Chairman LaPerch: OK. John, what is your question buddy?

Mr. Lord: I just thought there were some violations. I think the Building Inspector went back out there and just wondered where we go from here. I know the Town Board gave them a Special Use Permit for 25 ft. height instead of 15, which was recommended by the Planning Board, but I don't know. Just a general question and I don't even know if I have the right to ask you guys this but since you did go out and check out a bunch of things, Tom, I thought I would ask.

Chairman LaPerch: No, John, good question. Of course. I've got to be honest with you, I forget what Michael (Levine) saw out there, Ashley? I mean I know we are still waiting or them to work out their basin issues, right?

Ms. Ley: Yes. They are pretty close to getting... to coming back for final. They're at the ARB on Wednesday and then they would come back to the Planning Board for final so as long as any of the violations that aren't related to the site plan approval resolve then they could get their final when they come back. I just don't recall off hand what the violation...

Chairman LaPerch: (Inaudible) I apologize. Listen, Ashley, can you just give the Board an update just in case they are not aware of the Restaurant Depot... They have received everything...

Ms. Ley: They have all of their approvals. They got all their approvals last week... their Special Permit, Site Plan and Wetland Permit approvals from the Town Board and they are going to the ARB on Wednesday for their signs. They got their variances for the signs last week from the ZBA.

Chairman LaPerch: So, technically they can pull permits to start building?

Ms. Ley: Yes.

Chairman LaPerch: OK. Good. Any questions regarding that? It's a big job that everybody should be aware of on the Planning Board.

Boardmember Rush: Tom, on the landscaping. Remember we said we didn't want... We got a bond?

Ms. Ley: It was posted.

Chairman LaPerch: Yeah, we got it David. He posted it like the week (inaudible). So, listen I am rambling on here, so if I have no further questions... So, we made a motion, right? Seconded by Mr. Rush. All in favor?

The motion to Close the meeting was introduced by Chairman LaPerch, seconded by Boardmember Rush and passed all in favor.

July 9, 2020/VAD

THE FULL AUDIO RECORDING OF THIS MEETING IS AVAILABLE AT:

<https://www.southeast-ny.gov/337/Planning-Board-Audio-Files>

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